UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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JEFFREY PROVENZANO, THOMAS BENJAMIN and MONICA AGOSTO, on behalf of themselves and all others similarly situated,	:	Civ. No.
Plaintiffs,	:	**NOTICE OF REMOVAL**
-against-	:	
THE THOMSON CORPORATION and WEST PUBLISHING CORPORATION d/b/a BARBRI,	:	
Defendants.	:	

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Defendants The Thomson Corporation ("Thomson") and West Publishing Corporation ("West") (collectively "Defendants"), by their attorneys, Satterlee Stephens Burke & Burke LLP, hereby remove the above-captioned action originally filed in the Supreme Court of the State of New York, County of Albany, to the United States District Court for the Northern District of New York, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and in support of this removal respectfully state as follows:

1. On or about June 18, 2007, plaintiffs filed an action against Thomson and West entitled Jeffrey Provenzano, Thomas Benjamin and Monica Agosto, on behalf of themselves and all others similarly situated v. The Thomson Corporation and West Publishing Corporation d/b/a BARBRI, Index No. 4750-07, in the Supreme Court of the State of New York, County of Albany. True copies of the Summons and Complaint are annexed hereto as Exhibit A. The Complaint purports to be a class action.

2. Plaintiffs purported to serve West with the Summons and Complaint through its registered agent Corporation Service Company on June 29, 2007. This Notice of Removal is

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timely and is in compliance with 28 U.S.C. § 1446(b) since it is filed within thirty (30) days after receipt by West, through service or otherwise, of a copy of the initial ~~pleading~~ settling forth the claim upon which such action or proceeding is based.

3. On or about July 13, 2007, plaintiffs purported to serve Thomson with an Amended Complaint. A copy of the Amended Complaint is annexed hereto as Exhibit B. Defendants' time to answer the Amended Complaint has not yet expired.

4. Upon information and belief, defendant Jeffrey Provenzano, a natural person, is a citizen of the State of New York.

5. Upon information and belief, defendant Thomas Benjamin, a natural person, is a citizen of the State of New York.

6. Upon information and belief, defendant Monica Agosto, a natural person, is a citizen of the State of New York.

7. Defendant Thomson is a corporation organized pursuant to the laws of Ontario, Canada with its principal place of business in Toronto, Canada.

8. Defendant West is a corporation organized pursuant to the laws of the State of Minnesota with its principal place of business in Minnesota.

9. There is diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332(d)(2) in that this is alleged to be a class action in which the matter in controversy exceeds the sum of $5,000,000 exclusive of interest and costs and (i) any member of the class of plaintiffs is a citizen of a state different from any defendant (see 28 U.S.C. § 1332(d)(2)(A) and (ii) any member of the alleged class of plaintiffs is a citizen of a state and any defendant is a citizen of a foreign state. (See 28 U.S.C. § 1332(d)(2)(C)).

10. This is a civil action seeking monetary damages and other equitable relief.

11. Removal is proper pursuant to 28 U.S.C. §§ 1332 and 1441 since the action is one over which this Court has original jurisdiction.

12. Upon the filing of this Notice of Removal, defendants will immediately serve this Notice of Removal upon plaintiffs' counsel and file a copy of the Notice of Removal with the Clerk of the Supreme Court of New York, County of Albany.

WHEREFORE, defendants hereby remove the above-identified action now pending against it in the New York Supreme Court, Albany County, to the United States District Court for the Northern District of New York.

Dated: New York, New York
July 17, 2007

SATTERLEE STEPHENS BURKE & BURKE LLP

By:______________________________

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